IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 11968 of 2004

Between:

1 Y. Satyanarayana Raju, S/o. Suryanarayana Raju,
R/o. Siripalli Village, Inavilli Mandal, East Godavari District.
2 Y. Satyavathi, S/o. Krishnan Raju,
R/o. Siripalli Village, Inavilli Mandal, East Godavari District.
3 Y. Subba Raju, S/o. Satyanarayana Raju,
R/o. Siripalli Village, Inavilli Mandal, East Godavari District.
4 Y. Venkateswara Raju, S/o. Ram Raju,
R/o. Siripalli Village, Inavilli Mandal, East Godavari District

. **.... PETITIONERS**

AND

1 Regional Joint Commissioner of Endowments,

Kakinada, East Godavari District.
2 Asst. Commissioner of Endowments,

Rajahmundry, E.G. District.
3 Sri Muktheswara Swamy Vari Temple,

Muktheswaram Village, Inavilli Mandal,
East Godavari District, Rep by its Executive Authority. **.... RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in taking steps to dispossess the petitioners from the lands of the 3rd respondent by conducting the auction of the leasehold rights in respect of the said lands on 15-7-2004 pending consideration of their claim before the respondents as illegal, Arbitrary and contrary to the statute, consequentially directing the respondents to drop further proceedings to dispossess

the petitioner's from the said land and pass such other orders.

Counsel for the Petitioners: MR.T.V.S.PRABHAKARA RAO

Counsel for the Respondents1 & 2: G.P. FOR ENDOWMENTS

Counsel for the Respondent No.3 : Smt. N. Indrani.

The Court made the following:

ORDER:

It is represented by the learned counsel for the third respondent Temple that the petitioners have also participated in the auction held on 15-07-2004, in which the original tenant Y. Rama Raju, who is the brother of the first petitioner, has been declared as highest bidder and therefore, nothing survives for adjudication on merits and the said fact has not been disputed by the learned counsel for the petitioners.

Accordingly, the Writ Petition is dismissed as 'infructuous'. No costs.

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G. Rohini, J

23rd August, 2004

Isn/Bss

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Regional Joint Commissioner of Endowments,

Kakinada, East Godavari District.
2 The Asst. Commissioner of Endowments,

Rajahmundry, E.G. District.

3. Two CCs to G.P. for Endowments, High Court Buildings, Hyderabad (OUT).

4. Two CD copies